

J. Douglas Durham, SBN 153476
Lucas F. Olts, SBN 234843
BULLIVANT HOUSER BAILEY PC
1415 L Street, Suite 1000
Sacramento, California 95814
Telephone: (916) 930-2500
Facsimile: (916) 930-2501
E-mail: doug.durham@bullivant.com
E-mail: luke.olts@bullivant.com

Attorneys for Defendant,
AVI STRUGO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

NANCY FLORES LESSLER and MARK D.
LESSLER,

Plaintiffs,

vs.

AVI STRUGO,

Defendant.

Case No.: C07-04409

**[PROPOSED] ORDER GRANTING
DEFENDANT AVI STRUGO'S MOTION
TO STRIKE JURY DEMAND**

DATE: May 6, 2008

TIME: 9:00 a.m.

PLACE: Crtrm E, 15th Flr

[PROPOSED] ORDER

Having considered the submissions and arguments of the parties, and the relevant
authorities relating to the subject matter of this motion and the relief requested,

IT IS HEREBY ORDERED that Defendant Strugo's Motion to Strike Jury Demand is
hereby GRANTED.

DATED: _____

UNITED STATES DISTRICT JUDGE

10464681.1

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF SACRAMENTO

Nancy Flores Lessler, et al. v. Avi Strugo;
 USDC, Northern District, San Francisco Division, Case No. 2:05-C07-04409

I am a citizen of the United States and am employed in Sacramento County, where this mailing occurs. My business address is 1415 L Street, Suite 1000, Sacramento, California 95814. I am over the age of 18 years and not a party to the within cause.

On **March 5, 2008**, following ordinary business practice, I served the foregoing document(s) described as:

- **[PROPOSED] ORDER GRANTING DEFENDANT AVI STRUGO'S MOTION TO STRIKE JURY DEMAND**

in the following manner, by placing a true copy/true copies thereof in a sealed envelope/sealed envelopes, addressed as follows:

Thomas E. Fraysse
Samuel J. Bristol
Knox Ricksen LLP
1300 Clay Street, Suite 500
Oakland, CA 94612-1427
Tel: (510) 285-2500
Fax: (510) 285-3505

[Attorneys for Plaintiffs Nancy Flores Lessler and Mark D. Lessler]

Steven B. Stein
Levin Simes Kaiser & Gornick
44 Montgomery Street, 36th Floor
San Francisco, CA 94104
Tel: (415) 646-7171
Fax: (415) 981-1095
[Co-Counsel for Plaintiffs Nancy Flores Lessler and Mark D. Lessler]

(BY MAIL) I caused such envelope(s) with First Class postage thereon fully prepaid to be placed in the U.S. Mail in Sacramento, California. I am readily familiar with my employer's normal business practice for collection and processing of correspondence and other material for mailing with the United States Postal Service, and that practice is that said material is deposited with the United States Postal Service the same day as the day of collection in the ordinary course of business.

(BY PERSONAL SERVICE) I caused such envelope(s) to be hand-delivered by an authorized attorney messenger service, this date to the offices of the addressee(s).

(BY FEDERAL EXPRESS) I caused such envelope(s) to be delivered in a sealed Federal Express package, delivery fees for which are billed to this firm's account, to a Federal Express office for next-morning delivery. I am readily familiar with the business practices of my employer for the collection and processing of correspondence for mailing with Federal Express delivery service.

(BY FACSIMILE) I personally transmitted the aforementioned document, via facsimile machine, to each of the above listed parties' FAX numbers between the hours of 9:00 a.m. and 5:00 p.m. on _____ and received verification thereafter of each complete transmission.

XXX (BY EMAIL – ESERVICE) I caused to be served upon each party either via (1) their above email address; (2) through Lexis-Nexis Serve and File, or (3) through the court's electronic court filing system.

[X] (FEDERAL) I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made.

EXECUTED on March 5, 2008, at Sacramento, California.


MARGIE FRANCIS

PROOF OF SERVICE